

1 The Hon. James L. Robart  
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10 UNITED STATES DISTRICT COURT FOR THE  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT SEATTLE  
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15 UNITED STATES OF AMERICA,  
16 Plaintiff,  
17 v.  
18 CHARLES SHATEEK SMITH,  
19 Defendant.  
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22 NO. CR21-103-JLR  
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25 **FINAL ORDER OF FORFEITURE**  
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28 THIS MATTER comes before the Court on the United States' Motion for a Final  
29 Order of Forfeiture ("Motion") for the following property ("Subject Property"):

30 1. One Beretta .22 caliber pistol, serial number BER41410T; and  
31 2. Any associated ammunition.

32 The Court, having reviewed the United States' Motion, as well as the other  
33 pleadings and papers filed in this matter, hereby FINDS entry of a Final Order of  
34 Forfeiture is appropriate because:

35 • The Subject Property is forfeitable pursuant to 18 U.S.C. § 924(d)(1), by  
36 way 28 U.S.C. § 2461(c), as it was involved in the commission of *Felon in*  
37 *Possession of a Firearm*, in violation of 18 U.S.C. § 922(g)(1);

- On September 23, 2022, the Court entered a Preliminary Order of Forfeiture finding the Subject Property forfeitable pursuant to 18 U.S.C. § 924(d)(1) by way of 28 U.S.C. § 2461(c) and forfeiting the Defendant's interest in it (Dkt. No. 32);
- On September 27, 2022, the Defendant was sentenced for *Felon in Possession of Firearms*, in violation of 18 U.S.C. § 922(g)(1), and forfeiture was incorporated therein (Dkt. No. 34);
- Thereafter, the United States published notice of the pending forfeitures as required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure 32.2(b)(6)(C) (Dkt. No. 35) and provided direct notice to two potential claimants as required by Fed. R. Crim. P. 32.2(b)(6)(A) (see Declaration of AUSA Jehiel I. Baer in Support of Motion for Entry of a Final Order of Forfeiture, ¶ 2, Exhibits A & B);
- The United States and third-party petitioner Tahleha Jackson executed a Settlement Agreement for the return of the Walther .380 pistol that was identified in the Preliminary Order of Forfeiture (Dkt. No. 38); and,
- The time for filing third-party petitions has expired, and no other petition was filed.

NOW, THEREFORE, THE COURT ORDERS:

- 1) No right, title, or interest in the Subject Property exists in any party other than the United States;
- 2) The property is fully and finally condemned and forfeited, in its entirety, to the United States; and,

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1           3)     The United States Department of Justice, and/or their representatives, are  
2 authorized to dispose of the property as permitted by governing law.

## 4 IT IS SO ORDERED.

6 DATED this 11th day of September, 2024.

James L. Robart  
THE HON. JAMES L. ROBART  
UNITED STATES DISTRICT JUDGE

Presented By:

s/ Jehiel I. Baer  
JEHIEL I. BAER  
Assistant United States Attorney  
United States Attorney's Office  
700 Stewart Street, Suite 5220  
Seattle, WA 98101  
Phone: (206) 553-2242  
Fax: (206) 553-6934  
Jehiel.Baer@usdoj.gov